

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**
**Docket Number: CP-25-CR-0002646-1999**  
**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania

Page 2 of 15

v.

Emmitt J Grier Jr.

**CHARGES**

<u>Sequence</u>	<u>Grade</u>	<u>Section/ Description</u>	<u>Statute Description</u>	<u>Offense Date</u>	<u>OTN</u>
1	F1	18 § 3121 §§A1	Rape Forcible Compulsion	08/13/1999	F3548716
2	M1	18 § 2902 §§1	Unlaw Restraint/Risk Ser Injury	08/13/1999	F3548716

**DISPOSITION SENTENCING/PENALTIES**DispositionCase EventSequence/DescriptionSentencing JudgeSentence/Diversion Program TypeSentence ConditionsDisposition DateOffense DispositionSentence DateIncarceration/Diversionary PeriodFinal DispositionSectionCredit For Time ServedStart Date**Migrated Disposition**Migrated Dispositional Event

08/10/2000

Final Disposition

1 / Rape Forcible Compulsion

Guilty

**18 § 3121 §§A1**

Domitrovich, Stephanie

08/10/2000

Confinement

Min of 1.00 Years

08/10/2000

Max of 5.00 Years

Domitrovich, Stephanie

08/10/2000

Financial Assessments

Min of 1.00 Years

08/10/2000

Max of 5.00 Years

2 / Unlaw Restraint/Risk Ser Injury

Guilty

**18 § 2902 §§1**

Domitrovich, Stephanie

08/10/2000

Confinement

Min of 1.00 Years

08/10/2000

Max of 5.00 Years

Domitrovich, Stephanie

08/10/2000

Financial Assessments

Min of 1.00 Years

08/10/2000

Max of 5.00 Years

**EXHIBIT**

B

# COURT OF COMMON PLEAS OF ERIE COUNTY

## DOCKET



Docket Number: CP-25-CR-0002646-1999  
**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania  
v.  
Emmitt J Grier Jr.

Page 3 of 15

### COMMONWEALTH INFORMATION

### ATTORNEY INFORMATION

Name: James Andrew Pitonyak, Esq.  
Standby - Court Appointed

Supreme Court No: 030518

Counsel Status: Active

Address:

Mendel, M. Mark, Ltd.  
Suite 303  
1001 State Street  
Erie PA 16501

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**

**Docket Number: CP-25-CR-0002646-1999**  
**CRIMINAL DOCKET**

**Court Case**

Commonwealth of Pennsylvania  
 v.  
 Emmitt J Grier Jr.

Page 4 of 15

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Service To</u>	
1	09/13/1999	Migrated, Filer	Migrated Docket Entry
APPLICATION AND ORDER FOR PUBLIC DEFENDER/IFP FILED			
1	10/15/1999	Unknown Filer	Original Papers Received from Lower Court
1	10/15/1999	Migrated, Filer	CRIMINAL COMPLAINT FILE FROM D.J. O
CRIMINAL COMPLAINT FILE FROM D.J. OFFICE.			
1	11/18/1999	Migrated, Filer	INFORMATION FILED
INFORMATION FILED			
1	12/09/1999	Migrated, Filer	ORDER (DATED
ORDER FOR RECORDS FROM HAMOT HOSPITAL S/WM CUNNINGHAM JUDGE			
1	01/13/2000	Migrated, Filer	APPLICATION FOR CONTINUANCE WITH
WAIVER			
APPLICATION FOR CONTINUANCE WITH WAIVER OF PROMPT OR SPEEDY TRIAL AND ORDER S/S			
DOMITROVIOCH JUDGE			
1	03/08/2000	Migrated, Filer	MOTION
MOTION FOR COMPETENCY EVALUATION AND CONTINUANCE FILED BY AJ ADAMS ESQ			
2	03/08/2000	Migrated, Filer	ORDER (DATED
ORDER MOTION TO CONTINUE IS GRANTED AND THE CASE LISTED FOR THE MAY 2000 TERM OF COURT			
ATTY ADAMS SHALL SECURE A COMPETENCY EVALUATION OF MR GRIER WITHIN 10 DYS FROM THE DATE			
OF THIS ORDER S/WM CUNNINGHAM JUDGE			
1	03/29/2000	Migrated, Filer	MOTION
MOTION TO DISMISS FILED PRO SE (JUDGE CUNNINGHAM)			

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**

Docket Number: CP-25-CR-0002646-1999

**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania

v.

Emmitt J Grier Jr.

Page 5 of 15

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Service To</u>	
1	03/30/2000	Migrated, Filer	ORDER (DATED ORDER THE PRO SE REQUEST TO DISMISS OR FOR NOMINAL BOND IS DENIED S/WM CUNNINGHAM JUD
1	04/18/2000	Migrated, Filer	MOTION MOTION TO WITHDRAW AS COUNSEL FILED BY AJ ADAMS ESQ
1	04/18/2000	Migrated, Filer	SEE CASE SEE CASE 2646/99 FOR MOTIONS AND ORDER
1	04/20/2000	Migrated, Filer	MOTION MOTION TO CHANGE APPONTED COUNSEL FILED PRO SE
2	04/20/2000	Migrated, Filer	ORDER (DATED ORDER PRO SE REQUEST AS WELL AS THE REQUEST FROM ATTY ADAMS TO WITHDRAW IS HEREBY GRANTED AND OTHER COUNSEL FROM THE PUBLIC DEFENDER'S OFFICE IS HEREBY APPOINTED TO REPRESENT THE ABOVE CAPTIONED DEFENDANT AS EXPLAINED TO MR GRIER ON THE RECORD ON APRIL 19,2000 THERE SHALL BE NO FURTHER APPOINTMENT OF APPOINTED COUNSEL S/WM CUINGHAM JUDGE
1	05/26/2000	Migrated, Filer	Migrated Docket Entry NOTICE OF ALIBI DEFENSE PUSUANT TO PA RULE OF CRIMINAL PROCEDURE FILED BY J PITONYAK ESQ
1	06/12/2000	Migrated, Filer	DEFENDANT APPEARS IN COURT WITH HIS DEFENDANT APPEARS IN COURT WITH HIS COUNSEL APPEARANCE FILED BY J PITONYAK,ESQ
2	06/12/2000	Migrated, Filer	WAIVER OF THE PRESENCE OF JUDGE AND/OR WAIVER OF THE PRESENCE OF JUDGE AND/OR COURT REPORTER DURING EXAMI- NATION AND CHALLENGES OF TRIAL JURORS FILED SHOWING CONSENT GRANTED FOR WAIVER OF PRESENCE OF COURT REPORTER DURING JURY SELECTION SIGNED BY DEFENDANT AND JUDGE DOMITROVICH

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**

Docket Number: CP-25-CR-0002646-1999

**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania

v.

Emmitt J Grier Jr.

Page 6 of 15

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>		<u>Service To</u>
3	06/12/2000	Migrated, Filer	CASE CALLED WITH THE HONORABLE JUDGE
CASE CALLED WITH THE HONORABLE JUDGE DOMITROVICH ON THE BENCH THE DEFENDANT HAVING BEEN ARRAIGNED PLEADS NOT GUILTY			
4	06/12/2000	Migrated, Filer	THE JURY SAY THEY FIND THE DEFENDAN
JURY DISMISSED BY JUDGE AT 3:30PM DEFENDANT REMANDED TO ECP			
1	06/20/2000	Migrated, Filer	DEFENDANT APPEARS IN COURT WITH HIS
DEFENDANT APPEARS IN COURT WITH HIS COUNSEL APPEARANCE FILED BY J PITONYAK,ESQ			
2	06/20/2000	Migrated, Filer	WAIVER OF THE PRESENCE OF JUDGE AND/OR
WAIVER OF THE PRESENCE OF JUDGE AND/OR COURT REPORTER DURING EXAMI- NATION AND CHALLENGES OF TRIAL JURORS FILED SHOWING CONSENT GRANTED FOR WAIVER OF PRESENCE OF COURT REPORTER DURING JURY SELECTION SIGNED BY DEFENDANT AND JUDGE DOMITROVICH			
3	06/20/2000	Migrated, Filer	CASE CALLED WITH THE HONORABLE JUDGE
CASE CALLED WITH THE HONORABLE JUDGE DOMITROVICH THE DEFENDANT HAVING BEEN ARRAIGNED PLEADS NOT GUILTY			
1	06/22/2000	Migrated, Filer	THE JURY SAY THEY FIND THE DEFENDAN
THE JURY SAY THEY FIND THE DEFENDANT GUILTY ON CTS 1,2			
2	06/22/2000	Migrated, Filer	SENTENCE DEFERRED UNTIL
SENTENCE DEFERRED UNTIL 8/10/00 AT 8:45AM/DOMITROVICH/BOND REVOKED REMAND TO ECP COURT REPORTER-S WAID			
1	08/10/2000	Migrated, Filer	Migrated Disposition
Migrated Automatic Registry Entry (Disposition) Text			

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**
**Docket Number: CP-25-CR-0002646-1999**  
**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania

Page 7 of 15

v.

Emmitt J Grier Jr.

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Service To</u>	
1	08/10/2000	Migrated, Filer	DEFENDANT'S ACKNOWLEDGMENT OF POST-SENTE
DEFENDANT'S ACKNOWLEDGMENT OF POST-SENTENCING RIGHTS SIGNED AND FIL ED. STEPHANIE DOMITROVICH, JUDGE CT. REPORTER - N. SHELDON			
2	08/10/2000	Migrated, Filer	Migrated Sentence
Migrated Sentence			
2	08/10/2000	Migrated, Filer	SENTENCE
SENTENCE - CT.1;COSTS; 7 1/2 YRS TO 15 YRS SCI AT WESTERN TO BE SERVED EFF- ECTIVE AUGUST 31, 1999 (THE EFFECTIVE DATE OF SENTENCE INCLUDES A CREDIT OF 346 DAYS FOR TIME SPENT IN THE ECJ) 200 FINE CT.2;COSTS; 1 YR TO 5 YRS TO BE SERVED CONSECUTIVE TO COUNT 1 200 FINE DOMITROVICH STEPHANIE			
3	08/10/2000	Migrated, Filer	GUIDELINES FILED
GUIDELINES FILED			
1	08/15/2000	Migrated, Filer	MOTION
MOTION FOR JUDGMENT OF ACQUITTAL/MOTION FOR A NEW TRIAL/MOTION FOR RECONSIDERATION AND/OR MODIFICATION OF SENTENCE FILED BY J PITONYAK ESQ			
2	08/15/2000	Migrated, Filer	ORDER (DATED
ORDER (DATED SAME) DEFT'S MOTION FOR JUDGEMENT OF ACQUITTAL/MOTION FOR A NEW TRIAL / MOTION FOR RECONSIDERATION AND/OR MODIFICATION OF SENTENCE IT IS HEREBY ORDERED THAT SAID MOTIONS ARE HEREBY DENIED S/S DOMITROVICH JUDGE			
1	08/17/2000	Migrated, Filer	FILE TAGGED FOR ELECTRONIC TRANSFE
FILE TAGGED FOR ELECTRONIC TRANSFER OF AOPC THIRD SHEET			
1	08/30/2000	Migrated, Filer	NOTICE OF APPEAL
NOTICE OF APPEAL (ORDER DATED 8/10/2000 AND MADE FINAL 8/15/2000) PROOF OF SERVICE AND VERIFIED STATEMENT FILED BY J PITONYAK ESQ			



**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**

Docket Number: CP-25-CR-0002646-1999

**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania

v.

Emmitt J Grier Jr.

Page 8 of 15

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>		<u>Service To</u>
1	09/05/2000	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS TRANSCRIPT OF PROCEEDINGS PLEA ON 1-12-2000 BEFORE THE HONORABLE S DOMITROVICH FILED BY COURT REPORTER NANCY SHELDON ALSO CASES 2647 AND 2648 OOF 1999
1	09/06/2000	Migrated, Filer	STATEMENT OF MATTERS COMPLAINED OF ON STATEMENT OF MATTERS COMPLAINED OF ON APPEAL FILED BY J PITONYAK ESQ
1	09/11/2000	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS TRANSCRIPT OF PROCEEDINGS SENTENCING ON 8-10-2000 BEFORE THE HONORABLE S DOMITROVICH FILED BY COURT REPORTER NANCY SHELDON ALSO CASES 2647, 2648 OF 1999
1	09/11/2000	Migrated, Filer	DOCKETED NOTICE OF APPEAL/SUPERIOR COURT DOCKETED NOTICE OF APPEAL/SUPERIOR COURT # 1464 WDA 2000 11-15-2000 ALLL PAPERS MAILED TO SUPERIOR COURT
1	09/26/2000	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS TRANSCRIPT OF PROCEEDINGS COLLOQUOY ON REJECTION OF PLEA BARGAIN ON 5-10-2000 BEFORE THE HONORABLE S DOMITROVICH FILED BY COURT REPORTER SYLVIA WAID ALSO INCLUDES CASES 2647 AND 2648 OF 1999
2	09/26/2000	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS TRANSCRIPT OF PROCEEDINGS MOTION TO WITHDRAW ATTORNEY ON 4-19-2000 BEFORE THE HONORABLE WM R CUNNINGHAM FILED BY COURT REPORTER JAMES MUSCARELLA ALSO INCLUDES CASES 2647 AND 2648 OF 1999
1	09/27/2000	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS TRANSCRIPT OF PROCEEDINGS JURY TRIAL DAY ONE ON 6-20-2000 BEFORE THE HONORABLE S DOMITROVICH FILED BY COURT REPORTER SYLVIA WAID

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**

**Docket Number: CP-25-CR-0002646-1999**  
**CRIMINAL DOCKET**

**Court Case**

Commonwealth of Pennsylvania  
 v.  
 Emmitt J Grier Jr.

Page 9 of 15

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Service To</u>	
2	09/27/2000	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS
TRANSCRIPT OF PROCEEDINGS JURY TRIAL DAY TWO ON 6-21-2000 BEFORE THE HONORABLE S DOMITROVICH FILED BY COURT REPORTER SYLVIA WAID			
1	09/28/2000	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS
TRANSCRIPT OF PROCEEDINGS JURY TRIAL DAY THREE ON 6-22-2000 BEFORE THE HONORABLE S DOMITROVICH FILED BY COURT REPORTER SYLVIA WAID			
1	11/14/2000	Migrated, Filer	OPINION SIGNED AND FILED JUDGE
OPINION SIGNED AND FILED JUDGE DOMITROVICH			
1	06/08/2001	Migrated, Filer	Migrated Docket Entry
COPY OF DOCKET SENT TO DEFENDANT			
1	10/02/2001	Migrated, Filer	ALL PAPERS RETURNED FROM SUPERIOR COURT
ALL PAPERS RETURNED FROM SUPERIOR COURT SHOWING THE FOLLOWING JUDGMENT OF THE COURT OF COMMON PLEAS OF ERIE COUNTY BE AND THE SAME IS HEREBY JUDGMENT OF SENTENCE AFFIRMED. JUDGMENT ENTERED ELEANOR R VALECKO DEPUTY PROTHONOTARY 8-15-2001			
1	10/15/2001	Migrated, Filer	PETITION FOR ALLOWANCE OF APPEAL TC
PETITION FOR ALLOWANCE OF APPEAL TO SUPREME COURT NO 571 WDA 2000 FILED 9-12-2001			
1	05/15/2002	Migrated, Filer	DISPOSITION FOR ALLOWANCE OF APPEA
DISPOSITION FOR ALLOWANCE OF APPEAL FILED FROM SUPREME COURT 4-24-2002 DENIED PATRICIA HONARD CHIEF CLERK SUPREME COURT OF PA			
1	08/06/2002	Migrated, Filer	MOTION FOR POST CONVICTION COLLATERAL
MOTION FOR POST CONVICTION COLLATERAL RELIEF FILED BY DEFENDANT			



**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**

**Docket Number: CP-25-CR-0002646-1999**  
**CRIMINAL DOCKET**

**Court Case**

Commonwealth of Pennsylvania  
 v.  
 Emmitt J Grier Jr.

Page 10 of 15

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Service To</u>	
1	08/07/2002	Migrated, Filer	Migrated Docket Entry
ORDER OF COURT DATED 8-7-2002-IT IS ORDERED THAT WILLIAM J. HATHAWAY IS APPOINTED TO REPRESENT DEFENDANT IN THESE PCRA PROCEEDINGS. CLERKS OFFICE IS DIRECTED TO SERVE COPIES OF THE MOTION AND ORDER UPON THE DISTRICT ATTORNEY; ATTORNEY WILLIAM HATHAWAY; AND DEFENDANT; COUNSEL FOR DEFENDANT IS ORDERED TO AMEND SAID MOTION WITHIN THIRTY DAYS FROM THE DATE OF THIS ORDER. JUDGE DOMITROVICH (NOTICE SENT TO ATTORNEY HATHAWAY; DEFENDANT; DISTRICT ATTORNEY; COURT ADMINISTRATOR; AND CLERKS OFFICE ON 8-7-2002)			
1	08/30/2002	Migrated, Filer	Migrated Docket Entry
MOTION FOR EXTENSION OF TIME FILED BY ATTORNEY WILLIAM HATHAWAY			
2	08/30/2002	Migrated, Filer	Migrated Docket Entry
ORDER DATED 08-29-2002-UPON CONSIDERATION OF MOTION FOR EXTENSION OF TIME TO FILE AMENDED PCRA, IT IS ORDERED THAT SAID PETITION IS GRANTED. IT IS ORDERED THAT PETITIONER SHALL HAVE AN ADDITIONAL THIRTY DAYS WITHIN WHICH TO FILE AN AMENDED PCRA. JUDGE DOMITROVICH			
1	10/01/2002	Migrated, Filer	Migrated Docket Entry
SUPPLEMENT TO MOTION FOR POST CONVICTION COLLATERAL RELIEF FILED BY ATTORNEY WILLIAM HATHAWAY			
1	10/03/2002	Migrated, Filer	Migrated Docket Entry
ORDER DATED 10-3-2002-IT IS ORDERED THAT THE COMMONWEALTH IS DIRECTED TO RESPOND TO DEFENDANT'S MOTION FOR PCRA RELIEF IS 30 DAYS FROM THE DATE OF THIS ORDER. JUDGE STEPHANIE DOMITROVICH (NOTICE SENT TO DA, DEFENDANT; AND COURT ADMINISTRATOR ON 10-4-2002)			
1	10/24/2002	Migrated, Filer	Migrated Docket Entry
COMMONWEALTH'S RESPONSE TO APPELLANT'S MOTION FOR POST-CONVICTION COLLATERAL RELIEF FILED BY ADA CHAD VILUSHIS			

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**

Docket Number: CP-25-CR-0002646-1999

**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania

v.

Emmitt J Grier Jr.

Page 11 of 15

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Service To</u>	
1	11/08/2002	Migrated, Filer	Migrated Docket Entry
ORDER DATED 11-8-2002-IT IS ORDERED THAT ORAL ARGUMENT WILL BE HELD TO ADDRESS DEFENSE COUNSEL'S SUPPLEMENT TO DEFENDANT'S MOTION FOR PCRA, AS WELL AS, WHETHER AN EVIDENTIARY HEARING WILL BE NECESSARY IN THE FUTURE. SAID ORAL ARGUMENT IS SCHEDULED FOR 11-27-2002 AT 9: 00 AM. JUDGE DOMITROVICH (NOTICE SENT TO ADA VILUSHIS; ATTORNEY HA THAWAY AND COURT ADMINISTRATOR ON 11-12-2002)			
1	12/19/2002	Migrated, Filer	Migrated Docket Entry
ORDER DATED 12-18-2002-IT IS ORDERED THAT A HEARING WILL BE CONDUCTED ON MONDAY, DECEMBER 23, 2002 AT 10:45 AM FOR FURTHER ARGUMENT ON THE AVAILABILITY OF RAPE KITS COLLECTED DURING THE INVESTIGATION OF THE CASE. JUDGE DOMITROVICH (NOTICE SENT TO ADA VILUSHIS; ATTORNEY HATHAWAY; AND COURT ADMINISTRATOR ON 12-20-2002)			
1	01/03/2003	Migrated, Filer	Migrated Docket Entry
NOTICE DATED 1-2-2003-DEFENDANT IS HEREBY NOTIFIED THAT THIS COURT INTENDS TO DISMISS DEFENDANT'S SECOND PCRA. DEFENDANT MAY FILE OBJECTIONS TO THIS PROPOSED DENIAL WITHIN 20 DAYS OF THIS NOTICE. JUDGE DOMITROVICH (NOTICE SENT TO ATTORNEY HATHAWAY AND VILUSHIS AND DEFENDANT ON 1-3-2003)			
1	01/24/2003	Migrated, Filer	Migrated Docket Entry
ORDER DATED 1-24-2003-IT IS ORDERED THAT THE PCRA IS HEREBY DISMISSED. JUDGE DOMITROVICH (NOTICE SENT TO ADA VILUSHIS; ATTORNEY HATHAWAY AND DEFENDANT ON 1-27-2003)			
1	04/10/2003	Migrated, Filer	Migrated Docket Entry
ORDER DATED 4-9-2003-IN VIEW OF THE ATTACHED LETTER FROM DEFENDANT REQUESTING THAT HIS RIGHT TO APPEAL THE DISMISSAL OF HIS PCRA PETITION BE GRANTED NUNC PRO TUNC, IT IS ORDERED THAT THE COMMONWEALTH MAY RESPOND TO DEFENDANT'S REQUEST WITHIN FOURTEEN DAYS OF THE ENTRY OF THIS ORDER. JUDGE DOMITROVICH (NOTICE SENT TO ADA VILUSHIS; DEFENDANT; AND ATTORNEY HATHAWAY ON 4-10-2003)			
1	04/11/2003	Migrated, Filer	Migrated Docket Entry
COMMONWEALTH'S RESPONSE TO COURT'S ORDER REGARDING DEFENDANT'S REQUEST TO HAVE PCRA DISMISSAL APPEAL RIGHTS REINSTATED NUNC PRO TUNC FILED BY DEPUTY DA CHAD VILUSHIS			

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET****Docket Number: CP-25-CR-0002646-1999****CRIMINAL DOCKET****Court Case**

Commonwealth of Pennsylvania

v.

Emmitt J Grier Jr.

Page 12 of 15

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>		<u>Service To</u>
1	04/21/2003	Migrated, Filer	ORDER (DATED ORDER (DATED SAME) AFTER REVIEW OF THE DEFT'S RESPONSE AND ATTY HATHAWAY'S LETTER AND COMMONWEALTH'S RESPONSE REGARDING DEFT'S REQUEST TO HAVE PCRA DISMISSAL APPEAL RIGHTS REINSTATED NUNC PRO TUNC IT IS HEREBY ORDERED THAT AN EVIDENTIARY HEARING WILL BE HELD ON DEFT'S PCRA PETITION TO OCCUR ON MON MAY 19,2003 AT 9:AM BOTH DEFT EMMITT GRIER JR AND ATTY HATHAWAY ARE DIRECTED TO APPEAR JUDGE S DOMITROVICH (SENT 4-22-03 TO ATTY HATHAWAY, DA'S,COURT ADMIN, CAPT J HASKINS AND DEFENDANT)
2	04/21/2003	Migrated, Filer	Migrated Docket Entry TRANSPORT ORDER DATED 4-17-2003. JUDGE DOMITROVICH
1	05/28/2003	Migrated, Filer	OPINION AND ORDER OPINION AND ORDER DEFT'S RIGHT TO APPEAL HIS INITIAL PCRA PETITION IS HEREBY RE-INSTATED DEFT'S COUNSEL HAS THIRTY (30) DAYS FROM THE ENTRY OF THIS ORDER TO FILE A NOTICE OF APPEAL TO THE DISMISSAL OF HIS FIRST PCRA PETITION IT IS FURTHER ORDERED THAT ATTY HATHAWAY SHALL CONTINUE TO REPRESENT DEFT ON APPEAL S/S DOMITROVICH JUDGE (SENT THIS DAY TO ATTY HATHAWAY, DA'S AND DEFENDANT)
1	06/05/2003	Migrated, Filer	NOTICE OF APPEAL NOTICE OF APPEAL NUNC PRO TUNE(ORDER DATED 1-24-2003)PROOF OF SERVICE AND VERIFIED STATEMENT FILED BY WM HATHAWAY ESQ
1	06/09/2003	Migrated, Filer	Migrated Docket Entry ORDER DATED 6-9-2003-DEFENDANT IS DIRECTED TO FILE A CONCISE STATEMENT OF MATTERS ON APPEAL WITH 14 DAYS OF THIS ORDER. IT IS ORDERED THAT THE STENOGRAPHERS SHALL FILE ALL TRANSCRIPTS WITHIN 14 DAYS. THE STENOGRAPHERS SHALL FURNISH COURT RECORDS TO DEFENDANT. IT IS ORDERED THAT DEFENDANT MAY PROCEED IN FORMA PAUPERIS AS IT PERTAINS TO FILING FEES RELATED TO THE APPEAL. JUDGE DOMITROVICH (NOTICE SENT TO DA; ATTORNEY HATHAWAY; DEFENDANT; REPORTER JIM MUSCARELLA; CLERK SHARON WINKLER AND COURT ADMINISTRATOR ON 6-10-2003)

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**

**Docket Number: CP-25-CR-0002646-1999**  
**CRIMINAL DOCKET**

**Court Case**

Commonwealth of Pennsylvania  
 v.  
 Emmitt J Grier Jr.

Page 13 of 15

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>	<u>Service To</u>	
1	06/11/2003	Migrated, Filer	Migrated Docket Entry
CONCISE STATEMENT OF MATTERS COMPLAINED OF ON APPEAL FILED BY ATTORNEY WILLIAM HATHAWAY			
1	07/02/2003	Migrated, Filer	Migrated Docket Entry
OPINION FILED BY JUDGE DOMITROVICH (NOTICE SENT TO ATTORNEY HATHAWAY AND DEFENDANT ON 7-2-2003)			
1	07/08/2003	Migrated, Filer	ALL PAPERS SENT TO SUPERIOR COURT
ALL PAPERS SENT TO SUPERIOR COURT AT 1061 WDA 2003			
2	07/08/2003	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS
TRANSCRIPT OF PROCEEDINGS ARGUMENT ON 12-23-2002 BEFORE THE HONORABLE S DOMITROVICH FILED BY COURT REPORTER ANDREA MUSCARELLA			
1	08/01/2003	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS
TRANSCRIPT OF PROCEEDINGS EVIDENTIARY HEARING ON 5-19-2003 BEFORE THE HONORABLE S DOMITROVICH FILED BY COURT REPORTER LINDA LATVA			
1	08/13/2003	Migrated, Filer	TRANSCRIPT OF PROCEEDINGS
TRANSCRIPT OF PROCEEDINGS PCRA HEARING ON 11-27-2002 BEFORE THE HONORABLE S DOMITROVICH FILED BY COURT REPORTER CHERI COOK			
1	09/23/2003	Migrated, Filer	Migrated Docket Entry
ORDER DATED 9-23-2003-IT IS ORDERED THAT THE DEFENDANT'S MOTION FOR APPOINTMENT OF NEW COUNSEL IS HEREBY DISMISSED. JUDGE STEPHANIE DOMITROVICH (NOTICE SENT TO DA; DEFENDANT; AND ATTORNEY HATHAWAY ON 9-24-2003)			
1	09/24/2003	Migrated, Filer	Migrated Docket Entry
MOTION FOR THE APPOINTMENT OF NEW COUNSEL FILED BY DEFENDANT			

**COURT OF COMMON PLEAS OF ERIE COUNTY****DOCKET**

Docket Number: CP-25-CR-0002646-1999

**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania

Page 14 of 15

v.

Emmitt J Grier Jr.

**ENTRIES**

<u>Document Number</u>	<u>CP Filed Date</u>	<u>Filed By</u>	<u>Title</u>
<u>Comments</u>			
<u>Registry Entry</u>			
<u>Issue Date</u>	<u>Service Type</u>		<u>Service To</u>
1	05/06/2004	Migrated, Filer	ALL PAPERS RETURNED FROM SUPERIOR COURT
ALL PAPERS RETURNED FROM SUPERIOR COURT SHOWING THE FOLLOWING JUDGMENT OF THE COURT OF COMMON PLEAS OF ERIE COUNTY BE AND THE SAME IS HEREBY ORDER AFFIRMEJD. JUDGMENT ENTERED E VALECKO DEPUTY PROTHONOTARY 3-25-2004			
1	05/18/2004	Migrated, Filer	PETITION FOR ALLOWANCE OF APPEAL TC
PETITION FOR ALLOWANCE OF APPEAL TO SUPREME COURT NO 250 WAL 2004 FILED ON 4-26-2004			
2	05/18/2004	Migrated, Filer	PETITION FOR ALLOWANCE OF APPEAL TC
PETITION FOR ALLOWANCE OF APPEAL TO SUPREME COURT NO 249 WAL 2004 FILED ON 4-26-2004			
1	12/20/2004	Migrated, Filer	PETITION FOR ALLOWANCE OF APPEAL TC
PETITION FOR ALLOWANCE OF APPEAL TO SUPREME COURT DENIED 11-30-04			

**CASE FINANCIAL INFORMATION**

Last Payment Date:

Total of Last Payment: \$0.00

<b>Grier, Emmitt J. Jr.</b>	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary</u>	<u>Total</u>
Defendant				<u>Payments</u>	
<b>Costs/Fees</b>					
Court Fee (Erie)	\$21.00	\$0.00	(\$21.00)	\$0.00	\$0.00
State Court Cost (Act 204 of 1976)	\$9.60	\$0.00	(\$9.60)	\$0.00	\$0.00
JCP	\$5.00	\$0.00	(\$5.00)	\$0.00	\$0.00
Constable Education Training Act (Act 44 of 1991)	\$5.00	\$0.00	(\$1.62)	\$0.00	\$3.38
User Fee (Erie)	\$10.00	\$0.00	(\$10.00)	\$0.00	\$0.00